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8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA, SOUTHERN DIVISION**

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11 YUNA CHOI, an individual;

CASE NO.: 2:20-cv-1329-RFB-VCF

12 Plaintiff,

**STIPULATION AND ORDER TO  
EXTEND DISCOVERY DEADLINES**

13 vs.  
14 STATE FARM MUTUAL AUTOMOBILE  
15 INSURANCE COMPANY, an Illinois  
corporation; DOES I through X; and ROE  
16 CORPORATIONS I through X;

**[FOURTH REQUEST]**

17 Defendants.

18 Pursuant to LR 6-1 and LR 26-3, the parties, by and through their respective counsel of  
19 record, hereby stipulate and request that this Court extend discovery in the above-captioned case  
20 seventy-five (75) days, up to and including Monday February 7, 2022. In addition, the parties  
21 request that all other future deadlines contemplated by the Discovery Plan and Scheduling Order be  
22 extended pursuant to Local Rule. In support of this Stipulation and Request, the parties state as  
23 follows:

24 1. On March 27, 2020, Plaintiff filed her Complaint in the Clark County District  
25 Court, Nevada.  
26 2. On June 10, 2020, Plaintiff served the Complaint on the Nevada Department of  
27 Business and Industry, Division of Insurance.

- 1 3. On July 17, 2020, Defendant filed its Petition for Removal.
- 2 4. On July 30, 2020, Defendant filed its Answer to Complaint (pursuant to stipulation
- 3 extension (ECF No. 7)).
- 4 5. On August 19, 2020, the parties conducted an initial FRCP 26(f) conference
- 5 6. On September 2, 2020, the Court entered the Stipulated Discovery Order.
- 6 7. On September 30, 2021, Defendant served its FRCP 26 Initial Disclosures on
- 7 Plaintiff.
- 8 8. On October 23, 2020, Plaintiff served her FRCP 26 Initial Disclosures on
- 9 Defendant.
- 10 9. On November 19, 2020, Defendant served written discovery on Plaintiff. Plaintiff
- 11 served her responses on December 30, 2020.
- 12 10. On November 24, 2020, Plaintiff served written discovery on Defendant.
- 13 Defendant served its responses on January 6, 2021.
- 14 11. On December 30, 2020, Plaintiff served her first supplement to her FRCP 26
- 15 Disclosures.
- 16 12. On March 29, 2021, Counsel conferred regarding tentative deposition topics for an
- 17 FRCP 30(b)(6) witness deposition of Defendant.
- 18 13. On March 31, 2021, Defendant noticed its intent to serve records subpoenas on
- 19 Plaintiff's treatment providers and employer.
- 20 14. On April 14, 2021, Defendant deposed Plaintiff.
- 21 15. On April 14, 2021, Defendant re-noticed its intent to serve records subpoenas on
- 22 Plaintiff's treatment providers and employer, as an administrative oversight caused
- 23 the subpoenas not to have been served after Defendant noticed its intent to serve
- 24 them on March 31, 2021.
- 25 16. On May 14, 2021, Defendant served a supplement to its FRCP 26 Initial
- 26 Disclosures containing medical records and bills it had received as a result of its
- 27 records subpoenas.
- 28 17. On June 28, 2021, Plaintiff filed a motion to amend the Complaint.

- 1 18. On June 29, 2021, Counsel conferred a second time regarding tentative deposition
- 2 topics for an FRCP 30(b)(6) witness deposition of Defendant.
- 3 19. On July 12, 2021, the parties entered into a stipulated confidentiality and protective
- 4 order in order for Defendant to produce certain confidential, proprietary, or trade
- 5 secret information that may be the subject of discovery but that should not be
- 6 publicly available.
- 7 20. On July 23, 2021, this Honorable Court granted Plaintiff's Motion to Amend her
- 8 Complaint.
- 9 21. On July 30, 2021, Plaintiff filed her first amended Complaint.
- 10 22. On August 13, 2021, Defendant filed its answer to the First Amended Complaint.
- 11 23. On August 16, 2021, Defendant served its second supplemental disclosure.

**DISCOVERY REMAINING**

- 13 1. The parties will continue participating in written discovery.
- 14 2. Plaintiff will attend her FRCP 35 Exam on August 31, 2021.
- 15 3. Plaintiff will take the deposition of Defendant's FRCP 30(b)(6) witness and/or the
- 16 claims specialist.
- 17 4. The parties may take the depositions of any and all other witnesses garnered
- 18 through discovery.
- 19 5. The parties will designate initial expert witnesses.
- 20 6. The parties may designate rebuttal expert witnesses.
- 21 7. The parties may depose expert witnesses.

**WHY REMAINING DISCOVERY HAS NOT BEEN COMPLETED**

23 The parties aver, pursuant to Local Rule 26-3, that good cause exists for the following  
24 requested extension. This Request for an extension of time is not sought for any improper purpose  
25 or other purpose of delay. Rather, it is sought by the parties solely for the purpose of allowing  
26 sufficient time to conduct discovery.

27 The parties seek additional time to complete discovery for several reasons, none of which  
28 are for an improper purpose or for the purpose of delay. First, Counsel and Defendant continue to

1 work remotely, which has resulted in increased amounts of time for communications  
 2 and coordinating document productions. Second, the Plaintiff's FRCP 35 exam had to be  
 3 postponed due to illness on the part of the examining doctor. Third, the parties are moving  
 4 forward with depositions, but due to scheduling constraints, and the voluminous amount of  
 5 documents that need to be produced by Defendant in advance of the FRCP 30(b)(6) deposition  
 6 following the entering of the stipulated protective order Plaintiff's deposition of Defendant's  
 7 FRCP 30(b)(6) witness will not be able to take place with sufficient time in advance of the  
 8 deadline to serve initial expert designations (currently set for September 27, 2021). Fourth, the  
 9 parties want to have the ability to enter settlement discussions or attend mediation after the  
 10 FRCP 35 exam but prior to expending resources on expert witnesses. Accordingly, the parties  
 11 request an extension of the current discovery deadlines to allow the parties an opportunity to  
 12 develop their respective cases in chief.

13 Extension or Modification of The Discovery Plan and Scheduling Order. LR 26-3  
 14 governs modifications or extension of the Discovery Plan and Scheduling Order. Any stipulation  
 15 or motion to extend or modify that Discovery Plan and Scheduling Order must be made no later  
 16 than twenty-one (21) days before the expiration of the subject deadline and must comply fully  
 17 with LR 26-3.

18 This is the fourth request for extension of time in this matter. The parties respectfully  
 19 submit that the reasons set forth above constitute compelling reasons for the short extension.

<b>Scheduled Event</b>	<b>Current Deadline</b>	<b>Proposed Deadline</b>
deadlines: Discovery Cut-off	<i>Wednesday, November 24, 2021</i>	<i>Monday, February 7, 2022</i>
Deadline to Amend Pleadings or Add Parties	<i>Monday, June 28, 2021</i>	<i>Monday, June 28, 2021</i> <i>(no change)</i>
Expert Disclosure pursuant to FRCP26 (a)(2)	<i>Monday, September 27, 2021</i>	<i>Monday, December 13, 2021</i>
Rebuttal Expert Disclosure pursuant to FRCP. 26(a)(2)	<i>Friday, October 29, 2021</i>	<i>Wednesday, January 12, 2022</i>

Scheduled Event	Current Deadline	Proposed Deadline
Dispositive Motions	<i>Monday, December 27, 2021</i>	<i>Monday, March 14, 2022</i>
Joint Pretrial Order	<i>Monday, January 24, 2022</i>	<i>Monday, April 11, 2022</i>  <i>(If dispositive motions are filed, the deadline for filing the joint pretrial order will be suspended until 30 days after decision on the dispositive motions or further court order.)</i>

WHEREFORE, the parties respectfully request that this Court extend the discovery period by sixty (75) days from the current deadline of November 24, 2021 up to and including February 7, 2022 and the other dates as outlined in accordance with the table above.

DATED this 17<sup>th</sup> day of August, 2021.

DATED this 17<sup>th</sup> day of August, 2021.

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/s/ Cheryl Grames

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**ORDER**

**IT IS SO ORDERED:**

Dated this 17th day of August, 2021.



**UNITED STATES MAGISTRATE JUDGE**